



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

July 2, 2018

Albert Hopper
65 Randolph Pl NW
Washington, DC 20001

Re: **46 R Street, NW (18-Z-PDRM-00045)**
Lot 033 in Square 3101 - Zoning Confirmation

Dear Mr. Hopper,

This letter is to confirm the substance of the discussion with my staff on June 6th, 2018, regarding the proposed two-family flat, known as 46 R St NW. The subject property is located on Lot 033 in Square 3101 and has a lot area of 1,667 square feet, hereinafter referred to as the "Project". The property fronts on R Street NW and is located within the RF-1 Zoning District. The lot has a consistent width of 16.67 feet, with access to a twenty (20) foot wide public alley. The Property is currently improved with a two-story plus cellar single family row home with an accessory building (garage) in the rear. You propose to retain the existing building but convert the single family row home to a two unit flat, with a rear addition, third story and roof deck. The following is a list of clarifications provided for the various aspects of the project:

1. **Minimum Lot Width / Area.** The lot is 16.67 feet wide by 100 feet deep, with an area of 1,667 square feet. As per Subtitle E-201.1, the minimum lot width is 18' and the minimum lot area is 1,800 sf for a record lot. However, as the lot existed prior to this requirement of the Zoning Regulations, the lot is considered as conforming for the purposes of a building permit as per Subtitle C-301.1
2. **Pervious Surface.** The proposed Project is on a lot with 1,667 sq. ft. in area which is less than 1,800 sf. Therefore, the minimum permeable surface requirement is 0%, as set forth in Subtitle E-204.1 and Table E-205.1.
3. **Height / Number of Stories.** The height of the building, after adding the third floor, is 35 feet, which is in conformance with Subtitle E-303.1. The height is measured from the existing grade at the middle of the front of the building, to the high point of the roof.

The existing ceiling of the lower level is 3'-10" (46") above the grade, therefore it is not considered a story and meets the definition of "Cellar"; thus the proposed number of stories is three (3), which is in conformance with E-303.1.

4. **Side Yard.** The existing building is bordered by existing structures on either side with no existing side yard and is in conformance with subtitle E-307.3.
5. **Rear Yard.** Pursuant to subtitle E § 205 the rear yard requirement is determined by the existing location of the furthest rear walls of the adjoining properties. The proposed rear yard is 35 feet. The rear stair connecting the main floor to the rear yard can occupy the required rear yard, so long as the landing is no larger than necessary to access the door.

The rear addition does not extend more than ten (10) feet past the rear wall of the adjacent buildings, so as to conform to section E-205.5.

6. **Lot Occupancy.** The building area of the proposed project occupies 917 square feet (55%) of the existing lot. Subtitle E-304.1 states that the maximum lot occupancy in the subject zone is 60%. Therefore, the proposed project is compliant with regard to lot occupancy.

The proposed rear stairs and landing serve the main floor of the building and would not be considered "Building Area" per the definition and thus would not be counted towards lot occupancy.

While the existing garage is at grade with the cellar and does not extend past the main floor, it is the intent of the code that it be counted as building area. The existing accessory garage is to be removed in order to maximize the allowable building area for the rear addition to the principle building.

7. **Parking.** The project proposes one 9'x18' parking space, and is in conformance with Table C-701.5
8. **Roof Deck.** The proposed Project will provide a roof deck. A parapet that is less than 4' will be provided at the roof deck to comply with II DCMR C-1500.2. The roof access / egress stair is also less than 4' above the main level and harmonizes with the main structure in accordance with Subtitle C-1500.6. The stair is open to the sky and daylights on the roof deck to meet the required setback.
9. **Roof Architectural Element.** The existing structure contains a turret at the uppermost level, and is considered an architectural element, which cannot be removed or altered pursuant to E-206.1 (a). The proposed third story will not alter the existing turret, and it will be setback a minimum of three (3) feet from the feature. A roof deck/terrace will be constructed between the turret and the proposed third story addition.

Please let me know if you have any further questions.

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.

Sincerely,



Matthew Le Grant
Zoning Administrator

Attachments: Plans dated 1-28-2018 & Plat

Zoning Technician: Shawn Gibbs

File: Det Let re 46 R Street, NW to Hopper on 7-2-2018